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To: Nathan HA From: Gregory MUIR
Fax: 708-872-9300 Pages: 3
Phone: _____ Date: 2/1/05
Re: 10/005,308 CC: _____

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Attorney Docket No.: P19-US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Satyadev Patel, et al.

Group Art Unit: 2812

Serial No.: 10/005,308

Examiner: HA, NATHAN

Filed: December 3, 2001

**RECEIVED
CENTRAL FAX CENTER****FEB 01 2005****For: A METHOD FOR FORMING A MICRO-ELECTROMECHANICAL DEVICE****COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE**

Commissioner for Patents
P.O. BOX 1450
Alexandria, VA 22313-1450

Dear Sir:

The Notice of Allowance mailed January 26, 2005 has been received. In the Reason for Allowance, the Examiner stated that the primary reasons for allowance is the inclusion in the claims of a use of a "...method for forming a MEMS device including applying a getter and adhesion reduction agent to one or both wafers before bonding the two wafers together." (line 3 page 3). For the purpose of clarifying the record, applicants respectfully submit that none of the independent claims requires both of the getter and adhesion reduction agents.

Specifically, independent claim 55 recites, among others, a step of applying the getter to one or both wafers before bonding the two wafers together into the wafer assembly. Claim 55 does not require a step involving adhesion reduction agent.

Independent claims 106, 183, and 184 each recite, among others, a step of applying an adhesion reduction agent and / or a getter to one or both of the wafers. Clearly, this step does not exclusively require both of the getter and adhesion agents.

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Independent claim 133 recites, among others, a step of applying an adhesion reduction agent to one or both of wafers. Claim 133 does not require any step involving a getter.

Independent claim 182 does not recite an elements associated with a getter or an adhesion reduction agent.

It is assumed that it is obvious that the Examiner was referring to the independent claims collectively when it was stated that the reason for allowance was based on a method that includes a "getter and adhesion reducing agent". However, out of a concern for clarity of the record, applicants submit the above comments with respect to the exact scope of the independent claims.

Respectfully submitted,



Gregory R. Muir

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